

AMENDED IN ASSEMBLY MAY 2, 2006

AMENDED IN ASSEMBLY APRIL 19, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 2412**

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**Introduced by Assembly Member Hancock**

February 23, 2006

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An act to add and repeal Section 9603.5 of the Elections Code, relating to advisory elections.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2412, as amended, Hancock. Advisory elections: counties: gaming.

Existing law governs the conduct of statewide and local elections, and sets forth provisions governing advisory elections.

This bill would require every county and city and county to hold an advisory election for the purpose of allowing voters to voice their opinions on the *proposed* establishment of ~~urban casinos, as specified~~ *an urban casino in that county or city and county, if a petition containing at least 500 signatures of registered voters within that county is submitted to the county elections official within a specified timeframe prior to the first public hearing by a federal agency to solicit public comments on a draft environmental impact statement for that casino.*

By adding to the duties of local employees, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 9603.5 is added to the Elections Code,  
2 to read:  
3 9603.5. (a) Every county and city and county shall hold an  
4 advisory election on the next date on which that jurisdiction is  
5 currently permitted to hold a regular or special election, for the  
6 purpose of allowing voters within the jurisdiction to voice their  
7 opinions on the ~~establishment of urban casinos.~~ *proposed*  
8 *establishment of an urban casino in that county or city and*  
9 *county pursuant to subdivision (b).*  
10 (b) *The advisory vote shall only occur if a petition containing*  
11 *at least 500 signatures of registered voters within that county is*  
12 *submitted to the county elections official not later than 60 days*  
13 *from the date of the first public hearing by a federal agency to*  
14 *solicit public comments on a draft environmental impact*  
15 *statement for a project that would result in the placement or*  
16 *location of a casino in an urban area of the county or city and*  
17 *county.*  
18 ~~(b)~~  
19 (c) An advisory vote shall be indicated as a ballot heading,  
20 above the ballot proposal, and by only the following description:  
21 “Advisory Vote Only.”  
22 ~~(c)~~  
23 (d) In each county or city and county, the question to be  
24 placed on the ballot shall consider the placement or location of a  
25 casino in the urban areas of the county or city and county and  
26 such other matters as the Board of Supervisors shall determine.  
27 ~~(d)~~  
28 (e) For purposes of this section:

1 (1) "Advisory vote" means an indication of general voter  
2 opinion regarding the ballot proposal. The results of the advisory  
3 vote shall in no manner be controlling on the Governor or  
4 Legislature.

5 (2) "Urban" means an urban location that meets the definition  
6 used by the United State Department of Commerce's Bureau of  
7 Census for "urban," which is a core census block group or block  
8 that has a population density of at least 1,000 people per square  
9 mile, and surrounding census blocks that have an overall density  
10 of at least 500 people per square mile.

11 (e)

12 (f) This section shall remain in effect only until January 1,  
13 2008, and as of that date is repealed, unless a later enacted  
14 statute, that is enacted before January 1, 2008, deletes or extends  
15 that date.

16 SEC. 2. If the Commission on State Mandates determines that  
17 this act contains costs mandated by the state, reimbursement to  
18 local agencies and school districts for those costs shall be made  
19 pursuant to Part 7 (commencing with Section 17500) of Division  
20 4 of Title 2 of the Government Code.